





HOUSE.....

.....No. 90.

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## Commonwealth of Massachusetts.

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ATTORNEY-GENERAL'S OFFICE, BOSTON, {  
February 16, 1859. }

To the Hon. CHARLES HALE, *Speaker of the House of Representatives.*

SIR:—I transmit herewith, for the use of the legislature, in conformity with the requirements of the statutes, an Abstract of the annual reports made by the several district-attorneys for the year 1858, together with a report of the causes conducted and argued by the Attorney-General during the same year. Besides the usual tables some additional ones have been prepared for the more ready comparison of results.

I avail myself of this opportunity to suggest to the legislature the expediency of making some modifications in the existing provisions of law relating to the returns of the district-attorneys and the statistics of crime generally.

By statutes 1844, chapter 87, and statutes 1849, chapter 186, section 5, the several district-attorneys are required, on or before the fifteenth day of January in each year, to make a report to the Attorney-General of the amount and kind of official business done by them during the preceding year, the number of persons prosecuted, the crimes, offences, or misdemeanors for which the prosecutions were had: the results, the punishments awarded and the amount of costs in each case. From these reports the Attorney-General is required (by statutes 1849, chapter 186, section 4,) to prepare and transmit to the legislature during the month of February abstracts and tabular statements showing the nature and extent of crime in the State,

and the several counties, the number of prosecutions, the results and the punishments awarded, particularly discriminating between crimes perpetrated against the person and against the rights of property and whether with or without violence ; the amount of costs arising in such prosecutions and whether paid by the parties accused or not ; with such other information as may present full and complete statistics of crime and the operation of the criminal laws.

In the abstracts herewith transmitted, an attempt has been made to present a more complete classification of offences than is specified in the statute. It has been customary heretofore, to classify offences under five heads, viz.:—Against the person feloniously. Against the person not feloniously. Against property with violence. Against property without violence, and other offences. By offences against property without violence, is understood that class of crimes in which a material element is an intent to defraud without any direct attack upon the specific property of another.

It is obvious that this classification, which is however all that the statute requires, is very imperfect. The unclassified residuum of "other offences" embraces by far the greater part of the whole number of offences prosecuted. This large remainder also embraces many classes of offences, as offences against the public peace, against the public health, against public justice, against decency and morality, against public policy, and against public or common rights. The same kind and degree of information deemed necessary as a guide to legislation for the prevention and punishment of crimes against the person and against property, must also be useful in the treatment of the less startling, but perhaps no less dangerous offences against morality, public justice and public policy.

And I would therefore respectfully suggest that all future abstracts required to be made should present as far as is practicable a complete classification of offences. And inasmuch as the classification of offences by the various writers on the criminal law, and in the laws of the different States is not altogether uniform, and as the classification in the Revised Statutes is imperfect, and some offences may not improperly be included in more than one class, it might be expedient to fix the limits

of the several classes of crime so far as is practicable by express enactment.

But it is in regard to the information to be derived from these returns and abstracts as to the results of prosecutions and the increase or diminution and existing state of crime, that the present provisions of law seem to me to be especially defective. They inform us, it is true, that a certain number of prosecutions have been pending in our criminal courts during the year, of which a certain number have resulted in conviction and sentence and a certain number in acquittal, and that a certain number have failed from one or another of many possible causes; but when the crimes prosecuted were committed, how many in one year and how many in another, or whether a given offence is increasing or diminishing from year to year, (a fact perhaps more important than any other to be made certain for legislative purposes,) cannot with any degree of certainty be ascertained upon the existing system. Again, the public are at great expense every year to pay the cost of unsuccessful prosecutions; yet these returns afford no clue whatever to the causes of failure; and therefore give no assistance in the application of the remedy. The whole number of prosecutions returned includes two distinct classes of cases, viz.: those commenced before justices of the peace and police courts and carried by appeal to the court of common pleas, and cases commenced by indictment by the grand jury. It would certainly be useful to have the means of instituting from time to time a comparison between these two classes of cases, as to the relative success, promptitude and economy of prosecution by the one or the other mode, that such discrimination may be made in limiting the jurisdictions of the various courts and magistrates as will most effectually secure the great end of all criminal legislation, the prevention of crime by the prompt and certain punishment of offenders committed. Yet these two classes of cases are not discriminated in the returns or the abstracts now required by law to be made. Moreover, these cases, brought by appeal to the court of common pleas, are all cases of petty offences, of the same classes and nature with the cases finally disposed of before the same magistrates and police courts, and there seems to be no good reason, why, in a complete statistical exhibit of the state of crime in the Commonwealth, the results of this class of

prosecutions should not be taken into account in the abstracts made of the same classes of crimes prosecuted to a final result in the lower tribunal, or why the system of criminal statistics should not extend to and embrace all prosecutions in whatever mode commenced. And yet until the year 1858, the returns of criminal prosecutions before justices and police courts were made to, and abstracts thereof prepared by, the secretary of the Commonwealth, while the returns of criminal business in the court of common pleas, has been made to, and an abstract thereof prepared by, the Attorney-General. That this arrangement does not tend to a uniform, certain and complete system of statistics of crime, nor to convenient access to such information as is afforded to the public on these important matters, is too obvious to require illustration. And in this connection I desire respectfully to call the attention of the legislature to what seems to me the extremely impolitic provisions of statute 1858, chapter 155, section 2, which dispenses with all publication in detail of the business transacted by justices of the peace and police justices, whose operations, even more perhaps than those of the superior criminal courts require the constant scrutiny of the public and the careful supervision of the legislature, as well for economical reasons, as also to check and prevent the abuse of criminal process into which these inferior tribunals are much more liable to be led.

The foregoing suggestions as to the deficiencies in our present system of criminal statistics, without being intended as an exposition of all its imperfections, will perhaps be sufficient to satisfy the legislature that it is at least capable of improvement, and I would respectfully suggest the expediency of providing that for the future the published abstracts of the returns of the district-attorneys should exhibit the following details as to prosecutions commenced in the court of common pleas, in reference to each offence, viz.: number of prosecutions pending at beginning of the year; number of cases on file at beginning of the year; verdicts "guilty;" verdicts "not guilty;" disagreements of jury; carried to the supreme judicial court; quashed, *not pros'd*, or dismissed for informality; *not pros'd*, or dismissed on payment of costs or satisfaction by parties accused; *not pros'd* for other cause; sentences to State prison; sentences to house of correction or jail; sentences to

fine and imprisonment: sentences to fine: sent to State Reform School: on probation after conviction: pending cases disposed of during the year; placed on file: still pending: not arrested: defaulted on recognizance before trial: defaulted on recognizance after conviction: costs accrued within the year: costs of the year paid: costs of former years paid.

In addition to the foregoing details, it might be well to have a more minute report of the convicted cases, for cases of this class are almost exclusively to be regarded in forming any judgment as to the increase or decrease of crime. And returns might be made showing at least the year in which the offence proved was committed, and perhaps, also, it might be useful to add the age of the defendant at the time of its commission and the place of his nativity. These facts might readily and conveniently be presented by tabular statements.

In regard to the other class of cases pending in the court of common pleas, viz.: appeals from justices and police courts, the same details should be required as in cases commenced in the court of common pleas, but they should be separately presented, that the legislature may have means of judging of the comparative advantages as to certainty and dispatch of the two methods of prosecution. And I would further suggest that it might operate as a wholesome check upon the proceedings of trial justices, and prevent carelessly drawn complaints, and irregularly attested papers from being carried to the court of common pleas at great expense to the Commonwealth and the counties, if a table should be published showing the whole number of complaints dismissed, quashed, or not, pros'd for informality, and the number carried to the supreme judicial court on any question of law arising upon the form of the complaint or other papers, and the names of the magistrates by whom the same were sent up. The experience of the past year has shown that no small number of the criminal cases argued in the supreme judicial court are cases of complaints originating before justices and carried up on questions of the sufficiency of some unusual form of complaint, or some irregular attestation of papers: and it would not probably work injustice, while it might produce certainty and uniformity in the form of criminal proceedings, and thereby prevent many questions and save a large amount of costs, to provide by law that whenever a com-

plaint is dismissed, quashed, or nol. pros'd for informality, or any delay is occasioned by reason of any irregularity in, or unusual form of, the papers brought up by appeal, no costs shall be allowed to the magistrate.

If any change is thought advisable in the present system of criminal statistics, it may become a serious question by whom and in what form the returns and the abstracts thereof shall be made. Before the passage of statute 1858, chapter 155, which has been already adverted to, the justices of the peace and of the police courts made annual returns of all the cases heard by them in detail to the secretary of the Commonwealth, and an abstract of the same was prepared by him. One reason given it is understood, for the discontinuance of this abstract was that its preparation imposed on the secretary a very heavy burden. The present returns required of district-attorneys also impose on those officers an immense amount of merely clerical labor, which must be performed by them at a season when their other official duties are sufficiently onerous. They are required to return the names of all persons prosecuted, with full details of each case. At the time this provision was made the district-attorneys were authorized to receive and obliged to account for costs paid by parties accused, and one object, perhaps, of this full return of each case was to secure accuracy in their accounts. But since, by statutes 1857, chapter 107, the sheriffs alone are entitled to receive these costs, there seems to be no sufficient reason for requiring from the district-attorneys any greater detail in their returns than is required for publication. These reports are becoming more burdensome every year, and an inspection of them would, I think, satisfy any one that a very large amount of labor is required for their preparation.

No advantage is perceived in having a record at the State House of the names of parties prosecuted. If information on this point is desired, it may readily be obtained from the records of the court. It seems to me, therefore, that it is due to the district-attorneys and for the interest of the Commonwealth, to relieve these officers of this burden, and to provide that instead of the full report of cases heretofore required, they should return abstracts, showing the various details above indicated. At any rate, I should be very reluctant to require

of these officers any fuller return than at present, unless they are first released from this (as it seems) wholly unnecessary labor.

As regards the returns of justices of the peace and police courts, so far as returns are necessary for State purposes, for the publication of the statistics of crime, there seems to be no reason why they may not, with the aid of full instructions and of carefully prepared blanks, return abstracts instead of a detail of cases. Of course the returns which they make to the county officer with whom they account for costs taxed, paid and received, should be full and in detail, but it is not perceived, that for the purpose now in question, any greater detail need be required than is required in the published abstracts. And as in the case of towns a punctual and regular observance of the laws requiring school returns is enforced, by a judicious system of forfeitures, so the control of the Commonwealth over the fees of these magistrates might be made instrumental in obtaining punctual, formal, and regular returns of their criminal business.

If these suggestions should meet with a favorable consideration on the part of the legislature, the labor remaining for the secretary or other officer charged with the duty of combining these abstracts in a form convenient for publication, would, it is believed, be very considerably less than has heretofore been bestowed upon the preparation of abstracts of the returns now required by law. And for reasons stated above, it seems proper that all the statistics of crime should be presented to the public in a single publication.

One of the tables in the accompanying abstract exhibits, with reasonable discrimination, the character of the sentences which have been imposed in the several counties during the past year. This is, perhaps, as detailed a statement, as could be prepared under the circumstances. It has, however, become a subject of frequent remark that a great inequality exists in the sentences, which have been imposed in the different counties at different terms for similar offences, and some anxiety has been manifested to verify the suggestion. The means at my disposal are not quite sufficient for this purpose. All, however, who are familiar with the administration of criminal law and the difficulties attendant upon our system of prison discipline, will admit that this inequality of sentences occasions serious embarrassment.

It may also have encouraged to some extent the indiscriminate applications for pardons, which have become so frequent of late years, and which have been recently made the subject of careful consideration by the executive branch of the government. The laws of the Commonwealth in many cases leave the matter of sentence very much to the sound judicial discretion of the court, by establishing a very great distinction between the *maximum* and the *minimum* penalty, that may be imposed. The sentences must naturally therefore vary much, according to the circumstances under which they are awarded, and the dispositions of individual judges. And all this may properly be suggested without imputing any error of judgment to the learned and upright magistrates, who are charged with enforcing the laws. The difficulty arises, so far as the courts are concerned, from the impossibility of adopting any certain standard by which to be governed. Our statistics are upon this matter wholly insufficient. It seems quite important that our courts should have the final results of criminal procedure placed before them in some form, which, more than any hitherto adopted, should guide them in reducing the administration of criminal law to as uniform a rule of practice as experience and wisdom can suggest. And it has been recommended in some quarters that sentences in extreme cases might be revised by a prescribed quorum of the court, which awarded them, so that several judges, profiting by a common experience, and a calm consultation might correct any sentence, which should seem unnecessarily severe. Such a duty is in its nature judicial, and requires for its successful performance, the dignity, deliberation, responsibility and publicity of a court of justice. It should never be assumed that an incorrect sentence has been awarded, and this right to claim a revision would seem to be sufficient to insure to all convicts a careful consideration of their cases. After such a right shall have been exhausted, an appeal to the clemency of the pardoning power would probably prove so generally ineffectual, that it would only be attempted in the most peculiar and extraordinary cases.

More careful statements of the sentences imposed would also guide the legislature in the performance of their duties. The statutes of the Commonwealth are open to the charge of inconsistency, in the penalties which they prescribe for different

offences. I have already alluded to the broad limits allowed in some cases to judicial discretion. The denial of all discretion in other instances, is not less noticeable. This subject cannot now be considered in detail, but these suggestions are sufficient to indicate the necessity of more complete statistical information in this particular. The character, progress and tendency of crime is not to be ascertained by a mere recapitulation of the number and expenses of unsuccessful prosecutions, of frivolous complaints, attributable to the malice of private prosecutors, or the cupidity or officiousness of magistrates and policemen. The number and general character of the sentences imposed are far more instructive. And therefore, although the importance of accurate returns to indicate the operation of our system of criminal procedure is not to be undervalued, it will I think, be conceded, that the number and character of the penalties inflicted furnish the most reliable information of the real state of crime in the Commonwealth.

In this connection let me add, that it is claimed with some pride by careful observers that although the expenses of the administration of criminal justice have greatly increased, yet a critical examination of the data that are now accessible, will satisfy a candid mind that although there exists in certain localities a great eagerness to prosecute offences, especially petty ones, and although such prosecutions are constantly becoming more and more expensive, yet that the real increase of crime is not in proportion to the increase of population, and that at no time in the history of Massachusetts, have life, liberty and property, been more secure than at present.

It is made by statute the duty of the Attorney-General, upon the request of the governor, to investigate all cases in which a requisition is sought to be obtained upon the executive authority of another State, for the surrender of an alleged fugitive from justice, or in which a requisition is produced from another State for the surrender of a fugitive from the justice of such State, who may be lurking within our precincts. This process of extradition, secured by the constitution for the wisest purposes, is liable to great abuse, and I feel justified by experience in stating that the strictest scrutiny may not always prove sufficient to prevent imposition. The whole proceeding

is necessarily based upon ex parte statements, although the consequence of executive action may be to require a party to proceed hundreds or thousands of miles to answer to a charge upon which he may be acquitted. The statute of the Commonwealth, which has been referred to, and to which the attention of the general court has also been called in the address of his excellency the Governor, is hardly in keeping with the strict provisions of the law of the United States, and seems to require amendment. It has, therefore, been thought proper to adopt strict rules, and most especially, to use the utmost caution to prevent the process of the executive from being abused for mere purposes of private litigation.

I also respectfully call the attention of the legislature to a serious practical difficulty in the administration of criminal justice, which has been submitted to me by at least two of the district-attorneys. Recent legislation requires that at a criminal term those parties who are in custody and unable to find bail, shall be tried first; after them the parties charged with violating the prohibitory laws, generally known as the liquor laws; and, last of all, if the term is long enough, the other parties charged with offences of all kinds, who have been enlarged on bail. It not unfrequently happens, in many of the counties, that the term is brought to a close before the cases for violation of the liquor laws are all disposed of, and all those who have their liberty, go untried and unpunished, for at the next term they are displaced by a new set of offenders, whose cases have precedence; and although sufficient time is generally found for the trial of the most notorious of this third class, there still remain undisposed of a great many petty cases of misdemeanor, a large proportion of which came up by appeal from the magistrates. The evil consequences of this state of things cannot be set forth too strongly. Admitting that the petty cases alone go unpunished; still, if they are worth prosecuting they deserve punishment, and if they have been frivolously prosecuted, the party charged is entitled to such a disposition of the case as will relieve a good name from an unjust imputation. It has, however, become generally understood, in some counties, that this state of things secures an absolute immunity from punishment in such cases as I have described,

and that a party convicted before a magistrate has only to find bail and appeal, and he may defy the law. It may be added that the constantly increasing number of “pending” cases in some counties is referable to this peculiar cause.

I have the honor to be, most respectfully,  
Your obedient servant,

STEPHEN H. PHILLIPS,  
*Attorney-General.*

## C A S E S

*Conducted and argued by the Attorney-General from January 1, 1858,  
to January 1, 1859.*

## C O U N T Y O F B E R K S H I R E .

Commonwealth *v.* Daniel R. Cotten. *Liquor Law.* S. J. C. Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Edwin Davis. S. J. C. *Counterfeit Money.* Exceptions from C. C. P. Exceptions to instructions on one count sustained, on the other counts overruled. Case remanded to C. C. P. for sentence.

## C O U N T Y O F B R I S T O L .

Commonwealth *v.* Jeremiah Murphy. S. J. C. *Nuisance.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* John Parkinson. S. J. C. *Nuisance.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* George Carr. S. J. C. *Nuisance.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* James Godley. S. J. C. *Nuisance.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* John McArty. S. J. C. *Nuisance.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* James Hoge. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Henry Leonard. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Samuel F. Davis. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Stephen White. S. J. C. *Nuisance.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Andrew McGuire. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Bridget McGuire. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Philip Pitts. S. J. C. *Nuisance.* Appeal from C. C. P. Appeal irregularly entered, and case remanded to C. C. P. for further proceedings.

Commonwealth *v.* Lydia C. Barnes. S. J. C. *Nuisance.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Michael Ayer. S. J. C. *Larceny.* Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Michael Ayer. S. J. C. *Larceny.* Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* John Collins, S. J. C. *Scire facias.* Appeal from C. C. P. Appeal sustained. Judgment for defendant.

Commonwealth *v.* Lloyd Brown. S. J. C. *Larceny.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Parmenius Pierce. S. J. C. *Adultery.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Rebecca L. Thrasher. S. J. C. *Adultery.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* John Rogers. S. J. C. *Rape.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Martin Hoge. S. J. C. *Nuisance.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* John Carr. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled and case remanded to C. C. P. for sentence.

Commonwealth v. Franklin Whitney. S. J. C. *Drunkenness.* Appeal from C. C. P. Appeal dismissed, and case remanded to C. C. P. for sentence.

Commonwealth v. Old Colony Railroad Company. S. J. C. *Nuisance.* Exceptions from C. C. P. Continued *nisi.*

COUNTY OF ESSEX.

Commonwealth v. George Lee. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth v. William Roland. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth v. Caleb Wiley. S. J. C. *Liquor Law.* Exceptions from C. C. P. Death of Defendant suggested.

Commonwealth v. Moody Dow. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth v. Julius C. Gale. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth v. William G. Kilham. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth v. Joseph Francis. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth v. Patrick Riley. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth v. Josiah Herrick, Jr. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth v. Edward C. Logan. S. J. C. *Nuisance.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth v. Ann Martin. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth v. Patrick Kelly. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Benjamin Kimball. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* James A. Odell. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Patrick Brickley. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Alfred Pillsbury *et al.* S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* William G. Brown. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled and case remanded to C. C. P. for sentence.

Commonwealth *v.* John C. McLean. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Leonard Brown. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Moody Dow. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* William C. Senter. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Thomas Rand. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Jared P. Whitcomb. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled and case remanded to C. C. P. for sentence.

Commonwealth *v.* Ephraim P. Very. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Daniel Reardon. S. J. C. *Common Drunkard.* Exceptions from C. C. P. Exceptions sustained. Judgment arrested.

#### COUNTY OF FRANKLIN.

Commonwealth *v.* Josephus Slate. S. J. C. *Receiving Stolen Goods.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Charles Thrasher. Same *v.* Same. S. J. C. Cases under the *Liquor Law*. Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* certain liquors. S. J. C. Appeal from C. C. P. Appeal dismissed, and case remanded to C. C. P.

Commonwealth *v.* Abraham P. Putnam. S. J. C. *Assault and Battery*. Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

COUNTY OF HAMPDEN.

Commonwealth *v.* Robert Wood. S. J. C. *Procuring Abortion*. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* William Waters. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Julius Halstein. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Frederic Lumberton. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Milo Phelps. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions sustained, and case remanded to C. C. P.

Commonwealth *v.* Seth Sackett. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Henry Sackett. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* William C. Clark. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions sustained, and case remanded to C. C. P.

Commonwealth *v.* Enoch Blood. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* James Dillane. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* John J. O'Connor. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions sustained, and case remanded to C. C. P.

Commonwealth *v.* Mihcael Purtle. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Elihu H. Phelps. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions sustained, and case remanded to C. C. P.

Commonwealth *v.* Isaac H. Hudson. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions sustained, and case remanded to C. C. P.

Commonwealth *v.* Lyman W. Foster. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

COUNTY OF HAMPSHIRE.

Commonwealth *v.* Charles Hastings. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Betsey Davis, Appellant. S. J. C. *Liquor Law.* Appeal from C. C. P. Appeal dismissed, and case remanded to C. C. P.

Commonwealth *v.* Betsy Davis. S. J. C. *House of Ill Fame.* Exceptions from C. C. P. Exceptions sustained.

Commonwealth *v.* Louis Sallen. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* John Bestin. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Andrew Murphy. S. J. C. *Liquor Law.* Exceptions from C. C. P. Judgment arrested.

Commonwealth *v.* Dennis Ryan. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions sustained. Judgment arrested.

COUNTY OF MIDDLESEX.

Commonwealth *v.* William Hall. S. J. C. *Attempt to Kidnap.* Exceptions from C. C. P. Exceptions sustained, and case remanded to C. C. P.

Commonwealth, Appellant from Decree of the Judge of Probate, *v.* Samuel E. Sewall *et al.*, Executors. S. J. C. In the matter of the will of Joseph Hurd. Hearing before Thomas, J. Decree of the Judge of Probate affirmed.

Commonwealth *v.* Francis E. Heath and Miriam Y. Heath. S. J. C. Murder of Joshua Heath. Trial to the jury, June 1, 2 and 3. Verdict against both Defendants—Guilty of *Murder in the Second Degree*. Sentence of Francis E. Heath, imprisonment in the State Prison for life. Case of Miriam Y. Heath under advisement.

Commonwealth *v.* Essex Company. S. J. C. Neglect to make and maintain fishways. Exceptions from C. C. P. Argued. Continued under advisement.

Commonwealth *v.* Heman M. Simonds. S. J. C. *Counterfeit Money*. Exceptions from C. C. P. Exceptions sustained. Judgment arrested.

Commonwealth *v.* Abel H. Fuller. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions waived and case remanded to C. C. P. for sentence.

Commonwealth *v.* Mary Ritter. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Benjamin Dormer. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* William Hurley. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Stephen Wood. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Stephen Castles. S. J. C. *Liquor Law*. Appeal from C. C. P. Appeal dismissed, and case remanded to C. C. P.

Commonwealth *v.* Catherine Keyes. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* John Keeley *et al.* S. J. C. *Larceny from the Person*. Exceptions from C. C. P. Exceptions waived. Party under sentence.

Commonwealth *v.* John Garmon. S. J. C. *Nuisance*. Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Alice Hiland. S. J. C. *Liquor Law*. Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Charles G. Wallace. S. J. C. *Liquor Law*. Appeal from C. C. P. Appeal dismissed, and case remanded to C. C. P.

Commonwealth *v.* Anson Lamere. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled and case remanded to C. C. P. for sentence.

Commonwealth *v.* Heman Woodward. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* James Runey *et al.* S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Michael Hogan. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Peter Hogan. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled and case remanded to C. C. P. for sentence.

Commonwealth *v.* James Meran. S. J. C. *Liquor Law.* Appeal from C. C. P. Appeal dismissed, and case remanded to C. C. P.

Commonwealth *v.* John McGwin. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Dennis Hallahan. S. J. C. *Liquor Law.* Exceptions from C. C. P. *Nol. pros'd*, with consent of Court.

Commonwealth *v.* Olivia Floyd. S. J. C. *House of Ill Fame.* Exceptions from C. C. P. Exceptions sustained. Judgment arrested.

Commonwealth *v.* Horace T. Hildreth. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* John Madden. S. J. C. *Liquor Law.* Exceptions from C. C. P. *Nol. pros'd*, with consent of Court.

Commonwealth *v.* Maurice O'Hern. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Paul Paulus. S. J. C. *Counterfeit Money.* Exceptions from C. C. P. Argued and continued *nisi*, under advisement.

Commonwealth *v.* John Mehan. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions sustained. *Nol. pros'd*, with consent of Court.

Commonwealth *v.* Peggy Doniher. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions waved, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Joseph Sanderson. S. J. C. *Perjury.* Appeal from C. C. P. Appeal dismissed, and case remanded to C. C. P.

Commonwealth *v.* George R. Austin. S. J. C. *Scire facias.* Appeal from C. C. P. Judgment for the Commonwealth.

Commonwealth *v.* Joshua Dow, Jr. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Thomas Ryan. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Charles W. Brightmore. S. J. C. *Burglary.* Exceptions from C. C. P. Exceptions overruled. Party under sentence.

Commonwealth *v.* Michael Hogan. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Alfred E. Gale. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* William Harrison. S. J. C. *Sunday Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* William Harrison. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

#### COUNTY OF NORFOLK.

Commonwealth *v.* Philip Anthes. S. J. C. *Sunday Law.* Appeal from C. C. P. Appeal dismissed, and case remanded to C. C. P.

Commonwealth *v.* Maurice Levy *et al.* S. J. C. *Breaking and entering dwelling-house with intent to steal.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Michael Norton. S. J. C. *Liquor Law.* Appeal from C. C. P. Appeal dismissed, and case remanded to C. C. P.

Commonwealth *v.* Bridget Leo. S. J. C. *Liquor Law.* Exceptions from C. C. P. Argued. Continued under advisement.

Commonwealth *v.* Catherine Sullivan. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Peggy Fitzgerald. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* D. H. Ellis. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Timothy Shehan *et ux.* S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions sustained, and case remanded to C. C. P. for new trial.

Commonwealth *v.* Cornelius Sullivan. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions sustained, and case remanded to C. C. P. for new trial.

Commonwealth *v.* Elizabeth Ford. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions sustained, and case remanded to C. C. P. for new trial.

Commonwealth *v.* Philip Anthes. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled. Case remanded to C. C. P.

Commonwealth *v.* Bridget Monnahan. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Jerome Pope. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* John Huber. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Charles H. Bemis. S. J. C. *Adultery.* Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Martin Nash. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* William Burke. S. J. C. *Assault.* Exceptions from C. C. P. Continued *nisi.*

Commonwealth *v.* Edward Kenney, Appellant. S. J. C. *Liquor Law.* Exceptions from C. C. P. Continued *nisi.*

Commonwealth *v.* Samnel Reinstein *et al.* S. J. C. *Scire facias.* Pending. Answer to be filed.

Commonwealth *v.* certain intoxicating liquors. S. J. C. Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P.

#### COUNTY OF PLYMOUTH.

Commonwealth *v.* Abigail Gardner. S. J. C. *Murder of Hosea J. Gardner.* Trial to the jury, May 18, 19, 20. Verdict, Guilty of murder in the second degree. Motion for a new trial overruled. Motion in arrest of judgment overruled. Sentence—Imprisonment in the House of Correction for life.

Commonwealth *v.* Mary Burke. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions sustained, and case remanded to C. C. P.

Commonwealth *v.* David Burke. S. J. C. *Liquor Law.* Appeal from C. C. P. Appeal dismissed and case remanded to C. C. P.

COUNTY OF SUFFOLK.

Commonwealth *v.* William Thomas. S. J. C. *Counterfeit Money.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* James O'Hara. S. J. C. *Larceny.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* William Evans. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions sustained, and case remanded to M. C.

Commonwealth by Insurance Commissioners *v.* Pentucket Mutual Insurance Company. S. J. C. Hearing on a petition for an injunction. Injunction granted and Receiver appointed.

Commonwealth *v.* Martin Grimes, S. J. C. *Larceny from the Person.* Argued upon Report of the Judge of the M. C. Remanded to M. C. for trial.

Commonwealth *v.* Ellen Hart. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Edmund E. Price. S. J. C. *Counterfeit Money.* Exceptions from M. C. Exceptions sustained and case remanded to M. C.

Commonwealth *v.* James Woods. S. J. C. *Counterfeit Money.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Thomas Skelly. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Abijah Jenkins. S. J. C. *Receiving Stolen Goods.* Exceptions from M. C. Exceptions sustained and case remanded to M. C.

Commonwealth by Information of the Attorney General *v.* Fitchburg Railroad Company. S. J. C. *Quo warranto* to declare charter forfeited for *non-user.* Demurrer to answer overruled.

Commonwealth *v.* Daniel Skidmore. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Thomas Quinn. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* James Kelly. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled and case remanded to M. C. for sentence.

Commonwealth *v.* John A. Rogers. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Joseph Dennis. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Johnson Baldwin. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* George Low. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* James Ennis. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Bernard McQuecney. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Simon Malcolm. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Edward McLaughlin. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Patrick Mahan. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Michael Scanlan. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Thomas A. Farrand. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Thomas Fortune. S. J. C. *Nuisance.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Thomas Mead. S. J. C. *Manslaughter.* Exceptions from M. C. Argued by District-Attorney Cooley. Exceptions sustained, and case remanded to M. C.

Commonwealth *v.* Edward H. Sanford. S. J. C. *Causing death of steamboat passenger by carelessness.* Exceptions from M. C. Argued by District-Attorney Cooley. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* Frances Mitchell. S. J. C. *Burglary.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* James H. Gould. S. J. C. *Manslaughter.* Exceptions from M. C. Exceptions overruled, and case remanded to M. C. for sentence.

Commonwealth *v.* David Merrill. S. J. C. *Murder of Catherine M. Merrill.* *Nol. pros'd.* Defendant committed to State Lunatic Hospital.

Commonwealth *v.* William Joyce. S. J. C. *Murder of Ezekiel W. Hodsdon.* Defendant discharged on his own recognizance.

Commonwealth *v.* William McNulty. S. J. C. *Murder of Ezekiel W. Hodsdon.* Trial to the jury Dec. 14, 15, 16, 17, 18. Jury disagreed. Second trial, Dec. 21, 22, 23, 24. Verdict—Guilty of Murder in the second degree. Sentence, imprisonment for life in the State Prison—three days' solitary.

Commonwealth *v.* David R. Brown *et al.* S. J. C. *Murder of Caroline E. Webster.* *Nol. pros'd.*

Moses Tenney, Jr., Treasurer and Receiver-General, *v.* T. B. Lawrence *et al.* Same *v.* same. S. J. C. Two actions of contract on notes given in payment for lands in the Back Bay. Cases entered.

#### COUNTY OF WORCESTER.

Commonwealth *v.* Bernard Meehan. S. J. C. *Larceny of Real Property.* Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* James Sullivan. Same *v.* same. Same *v.* same. Same *v.* same. S. J. C. Four cases under the *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and cases remanded to C. C. P. for sentence.

Commonwealth *v.* James O'Brien. S. J. C. *Assault and Battery.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Henry W. Baldwin. S. J. C. *Forgery.* Exceptions from C. C. P. Exceptions sustained.

Commonwealth *v.* William W. Pierce. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions waived, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Ann McConnell. S. J. C. *Liquor Law.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Ann McConnell. S. J. C. Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* Charles F. Whittemore. S. J. C. *Larceny.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* C C. Dexter. S. J. C. *Scire facias.* Appeal from C. C. P. Demurrer sustained, and judgment for Defendant.

Commonwealth *v.* Richard Gamage. S. J. C. *Liquor Law.* Appeal from C. C. P. Appeal dismissed, and case remanded to C. C. P.

Commonwealth *v.* John Brown. S. J. C. *Assault on Officer.* Exceptions from C. C. P. *Nol. pros.*

Commonwealth *v.* Hiram H. Ames. S. J. C. *Nuisance.* Exceptions from C. C. P. Continued *nisi.*

Commonwealth *v.* Daniel Howe. S. J. C. *Nuisance.* Exceptions from C. C. P. Continued *nisi.*

Commonwealth *v.* Patrick McGahey. S. J. C. *Assault on Officer.* Exceptions from C. C. P. Exceptions overruled, and case remanded to C. C. P. for sentence.

Commonwealth *v.* John N. Grover. S. J. C. *Malicious Mischief.* Exceptions from C. C. P. Continued *nisi*, under advisement.

## T A B L E,

*Showing the number of Criminal Cases pending on questions of law in the Supreme Judicial Court during the year 1858, and the disposition thereof, by Counties.*

COUNTIES.	Cases pending.	Decided for the Commonwealth.	Decided against the Commonwealth.	Continued under advisement.	Continued, not argued.
BARNSTABLE, . . . . .	-	-	-	-	-
BERKSHIRE, . . . . .	2	2	-	-	-
BRISTOL, . . . . .	23	22	-	-	1
DUKES, . . . . .	-	-	-	-	-
ESSEX, . . . . .	24	23	1	-	-
FRANKLIN, . . . . .	5	5	-	-	-
HAMPDEN, . . . . .	15	10	5	-	-
HAMPSHIRE, . . . . .	7	5	2	-	-
MIDDLESEX, . . . . .	37	30	5	2	-
NANTUCKET, . . . . .	-	-	-	-	-
NORFOLK, . . . . .	20	14	3	1	2
PLYMOUTH, . . . . .	3	2	1	-	-
SUFFOLK, . . . . .	29	24	5	-	-
WORCESTER, . . . . .	17	12	2	3	-
Totals, . . . . .	182	149	24	6	3

## TABLE,

*Showing the number and the nature of Criminal Cases pending in the Supreme Judicial Court, in the year 1858, on questions of law, and the disposition thereof.*

OFFENCES.	Cases pending.	Decided for the Com-	Decided against the	Continued under ad-	Continued, not argued.
		monwealth.	Commonwealth.		
Liquor Law, . . . . .	104	90	12	1	1
Liquor Nuisance, . . . . .	28	27	1	—	—
Counterfeit Money, . . . . .	6	3	2	1	—
Assault, . . . . .	5	3	1	—	1
Larceny, . . . . .	5	5	—	—	—
Adultery, . . . . .	3	3	—	—	—
House of Ill Fame, . . . . .	3	1	2	—	—
Nuisance, . . . . .	3	—	—	2	1
Burglary, . . . . .	2	2	—	—	—
Larceny from Person, . . . . .	2	2	—	—	—
Manslaughter, . . . . .	2	1	1	—	—
Receiving Stolen Goods, . . . . .	2	1	1	—	—
Sunday Law, . . . . .	2	2	—	—	—
Abortion, procuring, . . . . .	1	1	—	—	—
Attempt to Kidnap, . . . . .	1	—	1	—	—
Breaking and Entering, . . . . .	1	1	—	—	—
Common Drunkard, . . . . .	1	—	1	—	—
Death by Negligence, causing, . . . . .	1	1	—	—	—

TABLE—*Continued.*

OFFENCES.	Cases pending.	Decided for the Commonwealth.	Decided against the Commonwealth.	Continued under advisement.	Continued, not argued.
Drunkenness, . . . . .	1	1	—	—	—
Fishway, not maintaining, . . . . .	1	—	—	1	—
Forgery, . . . . .	1	—	1	—	—
Larceny of Real Estate, . . . . .	1	1	—	—	—
Malicious Mischief, . . . . .	1	—	—	1	—
Murder, . . . . .	1	1	—	—	—
Not stated, . . . . .	1	1	—	—	—
Perjury, . . . . .	1	1	—	—	—
Quo. Warranto, . . . . .	1	—	1	—	—
Rape, . . . . .	1	1	—	—	—
Totals, . . . . .	182	149	24	6	3

TABLE I. SUFFOLK COUNTY.

TABLE I.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Prosd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defailed on Recog.	Costs.
Attempt to steal, .	6	—	—	6	—	—	—	—	—	\$26 05
Attempt to steal from the person, . . .	9	7	—	1	—	—	—	—	1	207 10
Breaking and entering, .	129	85	15	2	11	8	2	4	2	2,407 02
Breaking glass, . . .	2	1	—	—	1	—	—	—	—	20 95
Burglar's tools, having with intent, . . .	5	3	2	—	2	3	—	—	—	116 48
Burglary, . . . .	5	5	—	—	—	6	—	—	—	106 03
Burning stable, . . .	1	—	—	—	1	—	—	—	—	39 38
Larceny, . . . .	107	48	16	8	19	7	3	1	5	1,902 72
Larceny from building, .	63	30	9	1	16	—	3	2	2	869 24
Larceny from dwelling, .	28	18	3	—	6	—	—	—	1	665 59
Larceny from officer, .	1	—	—	1	—	—	—	—	—	31 54
Larceny from person, .	40	21	4	4	6	—	3	1	1	1,135 51
Larceny from vessel, .	1	1	—	—	—	—	—	—	—	47 57
Malicious mischief, .	1	—	—	—	—	1	—	—	—	20 56
Receiving stolen goods, .	20	4	2	1	3	9	1	—	—	468 71
Totals, . . . .	422	225	51	24	63	25	11	8	12	\$8,163 42
<i>Against the Current, and Crim. Frauds.</i>										
Attempt to embezzle, .	1	1	—	—	—	—	—	—	—	\$4 71
Bank bill, having with intent to alter, .	2	—	—	1	1	—	—	—	—	54 63
Counterfeit bank bill, having with intent to pass, . . . .	13	5	2	—	3	1	2	—	—	33 51
Counterfeit bank bill, uttering, &c., . . . .	21	11	3	2	5	—	—	—	—	192 70

TABLE I.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pro's'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recog'nizance.	Costs.
Counterfeit coin, having, &c., . . .	3	3	-	-	-	-	-	-	-	\$81 66
Counterfeit coin, uttering, &c., . . .	1	1	-	-	-	-	-	-	-	33 88
Counterfeiting bank bills, . . .	2	-	-	-	2	-	-	-	-	60 82
Embezzlement, . . .	4	2	2	-	-	-	-	-	-	123 92
False pretences, . . .	5	-	1	2	1	1	-	-	-	119 79
Forgery, . . .	4	2	-	-	1	-	1	-	-	118 17
Forged note, having with intent, . . .	2	1	1	-	-	-	-	-	-	59 42
Forged order, having, &c., . . .	3	2	-	-	1	-	-	-	-	79 65
Forged note, uttering, &c., . . .	28	8	1	4	11	1	1	2	-	783 82
Fraud in conveying, .	2	-	-	1	1	-	-	-	-	101 05
Written instrument, having with intent to alter, . . .	1	-	-	-	-	1	-	-	-	-
Totals, . . .	92	36	10	10	26	4	4	2	-	\$2,507 73
<i>Against Public Justice.</i>										
Perjury, . . .	10	3	-	1	1	2	3	-	-	\$254 56
<i>Against Chastity, Morality and Decency.</i>										
Adultery, . . .	17	10	3	-	2	-	2	-	-	\$324 47
Common Drunkard, .	32	15	-	2	11	2	-	-	2	386 80
Common Night Walker,	37	10	1	15	11	-	-	-	-	163 53
Common Railer, . .	1	1	-	-	-	-	-	-	-	16 71
Cruelty, . . .	2	1	-	-	1	-	-	-	-	30 86

TABLE I.—*Continued.*

OFFENCES.	Prosecutions,	Convictions,	Acquittals,	Nol. Pros'd.	Laid on File,	Still Pending,	No Bill.	Not Arrested,	Defaulter on Re- cognition,	Costs.
Disorderly house, .	36	24	—	—	7	5	—	—	—	\$703 77
Drunkenness, . .	6	2	1	—	3	—	—	—	—	80 98
Fornication, . .	7	5	2	—	—	—	—	—	—	85 98
Idle and disorderly person, . . .	10	4	2	2	2	—	—	—	—	234 78
Indecent exposure, .	1	—	—	—	1	—	—	—	—	31 45
House of ill fame, .	90	41	1	12	21	10	1	2	2	1,091 09
Lewd cohabitation, .	3	—	—	—	1	—	—	2	—	22 03
Lewdness, . . .	2	—	2	—	—	—	—	—	—	58 35
Publishing obscene papers, . . .	1	—	—	—	—	1	—	—	—	—
Polygamy, . . .	10	4	1	1	1	2	2	—	—	387 18
Prize-fighting, . .	3	2	—	—	1	—	—	1	—	94 68
Sunday Law, . .	6	2	2	—	1	—	—	1	—	71 63
Vagabond, . . .	1	—	—	—	1	—	—	—	—	23 00
Totals, . . .	265	121	14	32	64	20	5	5	4	\$3,807 29
<hr/>										
Against Public Policy.										
Billiard table, keeping, &c., . . .	1	—	—	—	1	—	—	—	—	\$17 29
Carrying arms, unlawfully, . . .	3	2	—	—	1	—	—	—	—	49 04
Exhibition, unlicensed,	17	1	—	7	4	—	5	—	—	266 97
Gaming, . . .	1	—	—	—	—	—	1	—	—	7 81
Liquor, carrying into Jail, . . .	1	—	—	—	1	—	—	—	—	12 48
Liquor nuisance, . .	222	91	16	8	51	18	23	10	5	3,589 03
Liquor, sale of, . .	6	—	—	—	6	—	—	—	—	60 75
Totals, . . .	251	94	16	15	64	18	29	10	5	\$4,003 37

TABLE I.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recogizancee.	Costs.
<i>Other Offences.</i>										
By-Laws, violation of,	1	-	-	1	-	-	-	-	-	\$30 98
Conspiracy, . . .	2	-	-	-	-	2	-	-	-	-
Extortion by threat, .	3	-	-	-	3	-	-	-	-	92 28
Nuisance, . . . .	9	1	1	-	1	1	-	5	-	70 08
Threats, . . . .	1	1	-	-	-	-	-	-	-	32 35
Totals, . . . .	16	2	1	1	4	3	-	5	-	\$225 69
Not stated, . . . .	134	-	-	-	-	-	134	-	-	\$1,716 88
Totals for the County,	1458	622	137	104	243	92	198	33	29	\$27,928 71

TABLE II. EASTERN DISTRICT.

[Essex County constitutes this District.]

OFFENCES.	Prosecutions.	Convictions.	Aequittals.	Nol. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not arrested.	Defaulted on Recog'zanee.	Costs.
<i>Against the Person, feloniously.</i>										
Abuse of female child,	1	-	-	-	-	1	-	-	-	\$12 01
Assault, felonious, .	2	1	-	-	-	-	1	-	-	72 29
Attempt to extort money by threats, &c.,	2	2	-	-	-	-	-	-	-	19 82
Child murder, . . .	1	-	-	-	-	1	-	-	-	30 10
Manslaughter, . . .	1	-	-	-	-	-	1	-	-	11 03
Totals, . . .	7	3	-	-	-	2	2	-	-	\$145 25
<i>Against the Person, not feloniously.</i>										
Arrest, illegal, . . .	1	-	-	-	-	1	-	-	-	\$15 85
Assault, aggravated, .	8	3	-	-	-	3	2	-	-	288 97
Assault with dangerous weapon, . . .	6	1	-	-	-	3	2	-	-	192 54
Assault on officer, . .	4	1	-	-	-	2	1	-	-	70 10
Assault, riotous, . .	6	3	-	-	-	-	3	-	-	134 78
Assault, and Assault and Battery, . .	41	6	-	5	-	18	3	-	9	629 97
Totals, . . .	66	14	-	5	-	27	11	-	9	\$1,332 21
<i>Against Property.</i>										
Appropriation, unlawful, . . . .	1	-	-	-	-	-	1	-	-	\$18 69
Arson, . . . .	3	-	-	-	-	2	1	-	-	86 69

TABLE II.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulded on Recog'zance.	Costs.
Attempt to burn barn,	1	1	—	—	—	—	—	—	—	\$54 57
Burglary, . . .	46	28	—	—	—	13	3	2	—	1,265 97
Burning barn, . . .	3	—	1	—	—	2	—	—	—	252 40
Burning hay-stack, .	1	—	—	1	—	—	—	—	—	22 49
Larceny, . . .	38	16	1	—	—	17	4	—	—	818 46
Larceny in building, .	17	17	—	—	—	—	—	—	—	271 95
Larceny from the person	5	3	—	—	—	—	2	—	—	101 18
Malicious mischief, .	6	4	—	—	—	—	2	—	—	81 74
Malicious trespass, .	6	—	—	1	—	5	—	—	—	56 93
Receiving stolen goods,	6	—	—	—	—	6	—	—	—	71 64
Totals, . . .	133	69	2	2	—	45	13	2	—	\$3,102 71
<i>Against the Currency, and Crim. Frauds.</i>										
Conspiracy to cheat, .	2	—	—	—	—	2	—	—	—	\$33 43
Counterfeit money, having, &c., . . .	4	—	—	—	—	2	2	—	—	112 70
Embezzlement, . . .	5	1	—	1	—	2	1	—	—	117 27
False pretences, . . .	2	—	—	—	—	1	1	—	—	25 93
Forgery, . . .	5	—	—	1	—	2	1	1	—	115 16
Fraud in conveying, .	3	—	—	—	—	—	3	—	—	20 88
Totals, . . .	21	1	—	2	—	9	8	1	—	\$424 37
<i>Against Public Justice.</i>										
Contempt, . . .	7	3	—	—	—	—	—	4	—	\$302 03
Perjury, . . .	3	—	1	—	—	—	2	—	—	59 86
Perjury, subornation of,	1	—	—	—	—	—	1	—	—	5 62
Totals, . . .	11	3	1	—	—	—	3	4	—	\$367 51

TABLE II.—Continued.

TABLE II.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Prosc'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recogizance.	Costs.
Profanity, . . .	1	—	—	—	—	1	—	—	—	\$9 06
Sunday Law, . . .	1	—	—	—	—	1	—	—	—	8 07
Vagabond, . . .	2	—	—	1	—	1	—	—	—	18 51
Totals, . . .	64	30	2	2	— 19	8	2	1	\$1,131 89	.....
<i>Against Public Policy.</i>										
Billiard Law, . . .	2	2	—	—	—	—	—	—	—	\$37 58
Fishway, neglect to maintain, . . .	1	—	—	—	—	—	1	—	—	4 85
Gaming, . . .	6	2	—	—	—	4	—	—	—	42 00
Highway, neglect of, .	6	—	—	—	—	3	3	—	—	120 83
Liquor, selling, . . .	219	63	7	19	— 79	22	26	3	4,849 89	.....
Liquor, carrying, .	2	—	—	—	—	2	—	—	—	53 83
Liquor, carrying into jail, . . .	1	—	—	—	—	—	—	1	—	32 50
Liquor nuisance, .	6	2	1	—	—	2	1	—	—	223 94
Liquor, illegally kept, seized, &c., . . .	3	—	—	—	—	6	—	—	—	42 20
Liquor Agent, neglect to appoint, . . .	1	—	—	—	—	—	1	—	—	11 43
Peddling without license	4	—	—	—	—	—	4	—	—	89 89
Railroad crossing, neglect to secure, . .	1	—	—	—	—	—	1	—	—	8 40
Totals, . . .	252	69	8	19	— 93	33	26	4	\$5,517 34	.....
<i>Other Offences.</i>										
Nuisance, . . .	12	1	—	—	— 10	1	—	—	—	\$246 62
Voting, procuring illegal, . . .	1	—	—	—	—	—	1	—	—	14 13
Totals, . . .	13	1	—	—	— 10	2	—	—	—	\$260 75
Totals in the County,	570	190	13	30	— 205	81	35	16	\$12,316 29	.....

TABLE III. NORTHERN DISTRICT.

[Middlesex County constitutes this District.]

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Re-cognizance.	Costs.
<i>Against the Person, feloniously.</i>										
Murder, . . . .	3	2	-	-	-	1	-	-	-	\$70 47
Manslaughter, . . .	1	1	-	-	-	-	-	-	-	48 02
Rape, . . . .	1	1	-	-	-	-	-	-	-	33 69
Attempt to murder, .	1	-	-	-	1	-	-	-	-	0 95
Threatening, . . .	1	-	-	1	-	-	-	-	-	6 85
Assault with intent, .	1	-	-	-	1	-	-	-	-	26 35
Assault, felonious, .	7	2	-	-	-	-	5	-	-	157 81
Totals, . . .	15	6	-	1	2	1	5	-	-	\$344 14
<i>Against the Person, not feloniously.</i>										
Assault, and Assault and Battery, . .	93	28	5	6	8	29	11	3	3	\$1,302 90
Assault on officer, .	14	4	-	-	2	5	3	-	-	302 76
Totals, . . .	107	32	5	6	10	34	14	3	3	\$1,605 66
<i>Against Property.</i>										
Arson, . . . .	10	4	-	-	2	4	-	-	-	\$636 16
Breaking and Entering,	60	34	5	2	6	3	8	1	1	1,501 58
Larceny, . . . .	60	25	3	5	3	12	8	1	3	1,463 99
Larceny in building, .	25	21	-	-	1	3	-	-	-	563 99
Larceny from the person, . . . .	2	1	-	1	-	-	-	-	-	56 68

TABLE III.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pro's'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Re- cognizance.	Costs.
Larceny from vessel, .	1	-	1	1	-	1	-	1	-	\$7 54
Malicious mischief, .	11	-	2	-	-	1	4	-	4	179 47
Receiving stolen goods, .	1	-	-	-	-	1	-	-	-	6 63
Totals, . . .	170	85	10	8	12	25	20	2	8	\$4,416 04
<hr/>										
<i>Against the Currency, and Crim. Frauds.</i>										
Cheating, . . .	3	-	-	1	-	-	-	1	1	\$55 85
Counterfeit coin, .	2	-	-	-	-	2	-	-	-	11 13
Counterfeit money, hav- ing, &c., . . .	20	6	-	1	6	4	2	-	1	502 02
Embezzlement, . . .	2	-	-	1	-	1	-	-	-	44 37
Evading fare, . . .	1	-	-	1	-	-	-	-	-	10 87
False pretences, . . .	7	-	1	-	-	2	4	-	-	143 34
Forgery, . . .	1	-	-	-	-	1	-	-	-	13 75
Fraud in conveying, .	2	-	-	-	-	2	-	-	-	23 73
Totals, . . .	38	6	1	4	6	12	6	1	2	\$805 06
<hr/>										
<i>Against Public Justice.</i>										
Contempt, . . .	3	3	-	-	-	-	-	-	-	\$21 71
Escape, . . . .	3	-	-	-	-	3	-	-	-	22 43
Perjury, . . . .	5	-	3	-	-	1	1	-	-	200 70
Rescue, . . . .	1	-	-	-	-	1	-	-	-	10 02
Totals, . . . .	12	3	3	-	-	5	1	-	-	\$254 46
<hr/>										
<i>Against the Public Peace.</i>										
Brawler, . . . .	1	-	-	-	-	1	-	-	-	\$9 70
Common scold, . . .	1	-	-	-	-	1	-	-	-	8 51

TABLE III.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Not Pro'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Re-cognizance.	Cests.
Disturbing peace, .	4	1	—	1	—	—	3	—	—	\$21 71
Riot, . . . .	8	—	—	2	—	3	—	1	2	205 77
Totals, . . .	14	1	—	2	—	5	3	1	2	\$245 69
<i>Against Chastity, Morality and Decency.</i>										
Adultery, . . . .	26	4	5	—	1	5	11	—	—	\$318 67
Common Drunkard, .	11	2	2	—	2	4	—	—	1	181 59
Cruelty, . . . .	1	—	—	1	—	—	—	—	—	10 50
Disorderly house, .	3	1	1	—	1	—	—	—	—	135 52
Drunkenness, . . .	10	4	1	1	3	—	—	—	1	116 87
Fornication, . . .	1	—	—	1	—	—	—	—	—	11 46
House of ill fame, .	2	—	—	1	—	1	—	—	—	64 54
Lewdness, . . . .	1	—	—	—	—	—	1	—	—	46 18
Polygamy, . . . .	4	1	—	—	1	1	1	—	—	266 74
Sunday law, . . . .	4	—	1	2	—	1	—	—	—	69 51
Totals, . . . .	63	12	10	6	8	12	13	—	2	\$1,224 58
<i>Against Public Policy.</i>										
Liquor law, violating,	195	22	30	32	40	49	13	—	9	\$5,432 12
Liquor nuisance, .	19	2	2	1	8	3	3	—	—	297 16
Peddling, . . . .	1	—	—	—	—	1	—	—	—	14 90
Highway, neglect of, .	1	—	—	—	—	1	—	—	—	11 43
Unlicensed exhibition,	1	—	—	1	—	—	—	—	—	7 15
Gaming, . . . .	2	—	—	2	—	—	—	—	—	34 61
Gaming house, . . .	2	—	—	—	—	1	1	—	—	20 84
Totals, . . . .	221	24	32	36	48	55	17	—	9	\$5,818 21

TABLE III.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pro'sd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recogizance.	Costs.
<i>Other Offences.</i>										
Misdemeanor, . . .	4	+	-	-	1	2	2	-	-	\$23 74
Violation of by-laws, .	1	-	-	1	-	-	-	-	-	-
Nuisance, . . . .	8	-	1	1	2	4	-	-	-	44 16
Totals, . . . .	13	-	1	2	2	6	2	-	-	\$67 90
.....										
Totals for the County, . . . .	653	169	62	65	88	155	81	7	26	\$14,781 74

## TABLE IV. SOUTHERN DISTRICT.

[This District comprises the Counties of Bristol, Barnstable, Nantucket, and Dukes County.]

## COUNTY OF BRISTOL.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pross'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recognition.	Costs.
<i>Against the Person, feloniously.</i>										
Assault, felonious, . . .	1	-	-	-	-	-	1	-	-	\$13 66
Rape, . . . .	1	1	-	-	-	-	-	-	-	165 45
Totals, . . . .	2	1	-	-	-	-	1	-	-	\$179 11
<i>Against the Person, not feloniously.</i>										
Assault, . . . .	28	15	3	3	1	4	2	-	-	\$662 45
Assault on officer, . . .	2	2	-	-	-	-	-	-	-	44 66
Totals, . . . .	30	17	3	3	1	4	2	-	-	\$707 11
<i>Against Property.</i>										
Arson, . . . .	1	-	-	-	-	-	1	-	-	\$13 77
Attempt at burglary, . .	1	-	-	-	-	-	1	-	-	25 65
Burglary, . . . .	23	19	-	-	3	-	1	-	-	724 04
Larceny, . . . .	59	25	5	8	5	1	12	3	-	1,691 98
Malicious mischief, . .	7	1	-	-	3	-	3	-	-	213 61
Receiving stolen goods, .	1	-	1	-	-	-	-	-	-	40 52
Totals, . . . .	94	45	7	8	11	1	19	3	-	\$2,973 03
<i>Against the Currency, and Crim. Frauds.</i>										
Embezzlement, . . .	1	-	-	-	1	-	-	-	-	\$20 21
False pretences, . . .	4	1	2	-	-	-	1	-	-	127 83

TABLE IV.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recog'nizance.	Costs.
Forgery, . . .	2	2	—	—	—	—	—	—	—	\$84 91
Fraud in conveying, .	1	—	1	—	—	—	—	—	—	39 72
Totals, . . .	8	3	3	—	1	—	1	—	—	\$272 67
<i>Against Public Justice.</i>										
Aiding escape, . . .	1	—	—	—	—	1	—	—	—	22 03
Perjury, . . .	2	—	—	—	—	—	2	—	—	102 19
Perjury, subornation of,	2	—	—	—	—	—	2	—	—	2 25
Witness, obstructing attendance of, .	1	—	1	—	—	—	—	—	—	\$45 87
Totals, . . .	6	—	1	—	—	1	4	—	—	\$172 34
<i>Against the Public Peace.</i>										
Disturbing the peace, .	3	—	1	2	—	—	—	—	—	\$41 29
<i>Against Chastity, Morality and Decency.</i>										
Adultery, . . .	12	4	1	—	—	2	5	—	—	\$355 48
Common drunkard, .	5	3	1	—	1	—	—	—	—	75 83
Disorderly house, .	8	5	1	—	—	1	1	—	—	353 71
Disturbing meeting, .	1	—	—	—	—	—	1	—	—	22 71
Drunkenness, . . .	12	8	1	1	—	2	—	—	—	179 78
Lewdness, . . .	2	2	—	—	—	—	—	—	—	60 98
Sodomy, . . .	2	2	—	—	—	—	—	—	—	81 16
Stubborn child, . . .	1	—	1	—	—	—	—	—	—	19 29
Vagabond, . . .	2	—	2	—	—	—	—	—	—	38 89
Totals, . . .	45	24	7	1	1	5	7	—	—	\$1,187 83

TABLE IV.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pro'sd.	Laid on File.	still Pending.	No Bill.	Not Arrested.	Defaulted on Rec- eognizance.	Costs.
<i>Against Public Policy.</i>										
Check-list, disuse of, .	1	-	-	-	-	-	1	-	-	\$13 86
Gaming house, . . .	1	-	-	1	-	-	-	-	-	11 13
Highway, defective, .	19	-	-	-	-	4	15	-	-	237 37
Highway, obstructing, .	1	-	-	-	-	1	-	-	-	18 06
Horse, fast driving of, .	1	1	-	-	-	-	-	-	-	29 27
Liquor, sale of, . . .	136	35	25	11	21	11	21	-	6	2,663 40
Liquor nuisance, . . .	33	12	1	-	7	6	7	-	-	991 21
Railroad sign, not erect- ing, . . . .	1	-	-	-	-	-	1	-	-	4 29
Totals, . . . .	193	48	26	12	31	22	48	-	6	\$3,968 59
Totals for the County,	381	138	48	26	45	33	82	3	6	\$9,501 97

TABLE V. SOUTHERN DISTRICT—*Continued.*  
COUNTY OF BARNSTABLE.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. P. F. S.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	De-faitited on Recogizance.	Costs.
<i>Against the Person, feloniously.</i>										
Manslaughter, . . .	1	—	1	—	—	—	—	—	—	\$63 37
<i>Against the Person, not feloniously.</i>										
Assault, . . .	8	4	1	—	—	1	2	—	—	\$298 96
<i>Against Property.</i>										
Burglary, . . .	1	1	—	—	—	—	—	—	—	\$77 84
Lareeny, . . .	12	4	1	—	4	—	3	—	—	276 17
Receiving stolen goods,	1	—	—	—	1	—	—	—	—	25 05
Totals, . . .	14	5	1	—	5	—	3	—	—	\$379 06
<i>Against the Public Peace.</i>										
Riot, . . .	1	—	—	—	1	—	—	—	—	\$57 33
<i>Against Chastity, Morality and Decency.</i>										
Adultery, . . .	1	—	—	—	2	—	2	—	—	\$49 89
Common drunkard, .	3	—	—	3	—	—	—	—	—	46 53
Totals, . . .	7	—	—	3	2	—	2	—	—	\$96 42
<i>Against Public Policy.</i>										
Highway, defective, .	1	—	—	—	—	—	1	—	—	\$4 87
Highway, obstructing.	4	—	—	1	—	1	2	—	—	50 18
Liquor, sale of, . . .	12	4	4	2	1	—	1	—	—	305 54
Liquor nuisance, .	2	1	—	—	—	—	1	—	—	81 94
Totals, . . .	19	5	4	3	1	1	5	—	—	\$442 53
Totals for the County,	50	14	7	6	9	2	12	—	—	\$1,337 67

TABLE VI. SOUTHERN DISTRICT—*Continued.*  
COUNTY OF DUKES COUNTY.

TABLE VII. SOUTHERN DISTRICT—*Continued.*  
COUNTY OF NANTUCKET.

OFFENCES.	Prosecutions.	Cessions.	Acquittals.	Nol. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recogntance.	Costs.
<i>Against the Person, not feloniously.</i>										
Assault, . . . .	3	2	-	-	-	-	1	-	-	\$49 80
<i>Against Property.</i>										
Burglary, . . . .	1	-	-	-	-	-	1	-	-	\$14 93
Larceny, . . . .	2	1	-	1	-	-	-	-	-	38 21
Totals, . . . .	3	1	-	1	-	-	1	-	-	\$53 14
<i>Against Public Policy.</i>										
Highway, obstructing,	1	-	-	-	-	-	1	-	-	\$26 60
Totals for the County,	7	3	-	1	-	-	3	-	-	\$129 54

TABLE VIII. SOUTHERN DISTRICT—*Continued.*  
RECAPITULATION.

OFFENCES.	Prosecutions,	Convictions,	Acquittals,	Not Prosd.	Laid on File,	Still Pending,	No Bill,	Not Arrested,	Defaulted on Recogizance,	Costs
Against the Person, feloniously, . . .	3	1	1	—	—	—	1	—	—	\$242 48
Against the Person, not feloniously, . . .	41	23	4	3	1	5	5	—	—	1,055 87
Against Property, . . .	111	51	8	9	16	1	23	3	—	*3,405 23
Against the Currency, and Criminal Frauds,	8	3	3	—	1	—	1	—	—	272 67
Against Public Justice, . . .	6	—	1	—	—	1	4	—	—	172 34
Against the Public Peace, . . .	4	—	1	2	1	—	—	—	—	98 62
Against Chastity, Morality and Decency,	53	25	7	4	3	5	9	—	—	1,319 63
Against Public Policy, . . .	213	53	30	15	32	23	54	6	—	4,437 72
Other Offences, . . .	—	—	—	—	—	—	—	—	—	—
Totals, . . .	439	156	55	33	51	35	97	3	6	\$11,004 56

## TABLE IX. SOUTH-EASTERN DISTRICT.

[This District comprises the Counties of Norfolk and Plymouth.]

## COUNTY OF NORFOLK.

OFFENCE <sup>s</sup> .	Prosecutions.	Convictions.	Acquittals.	Nol. Prosd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recogizance.	Costs.
<i>Against the Person, feloniously.</i>										
Threats, attempt to extort money by, . . .	1	1	1	1	1	1	1	1	1	\$13 00
<i>Against the Person, not feloniously.</i>										
Assault, and Assault and Battery, . . .	38	6	1	18	3	7	3	—	—	\$598 04
Assault on officer, . . .	1	—	—	—	1	1	1	—	—	—
Death of passenger, causing by negligence	1	—	—	—	—	—	1	—	—	—
Totals, . . .	40	6	1	18	3	7	5	—	—	\$598 04
<i>Against Property.</i>										
Arson, . . .	1	1	—	—	—	—	—	—	—	\$25 19
Breaking and entering,	22	12	—	—	—	5	5	—	—	432 88
Burglary, . . .	1	1	—	—	—	—	—	—	—	77 76
Burning building, . .	8	—	2	1	1	3	1	—	—	353 74
Burning woods, . .	1	—	—	—	—	—	1	—	—	13 61
Larceny, . . .	27	8	1	6	1	6	4	1	—	718 09
Malicious mischief, . .	4	—	—	—	2	—	2	—	—	28 94
Receiving stolen goods,	1	—	—	—	—	1	—	—	—	—
Shooting dog, . . .	1	—	—	1	—	—	—	—	—	19 51
Trespass, . . .	5	—	—	5	—	—	—	—	—	70 18
Totals, . . .	71	22	3	13	4	15	13	1	—	\$1,739 90

TABLE IX.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not arrested.	Defaulted on Re- cognizance.	Costs.
<i>Against the Currency, and Crim. Frauds.</i>										
Counterfeit money, uttering, having, &c.,	2	1	—	—	1	—	—	—	—	\$53 13
Forgery, . . .	1	—	—	—	—	—	—	—	—	—
False pretences, . .	1	—	—	—	—	—	1	—	—	—
Cheating, . . .	1	—	—	—	—	—	—	—	—	24 56
Fraud in conveying, .	1	—	—	—	—	—	—	—	—	13 94
Worthless bank bills, uttering, &c., . .	1	—	—	1	—	—	—	—	—	86 74
Totals, . . .	7	1	—	2	1	—	3	—	—	\$178 37
<i>Against Public Justice.</i>										
Contempt, . . .	13	6	—	7	—	—	—	—	—	\$53 01
Extortion, . . .	1	—	—	—	—	—	—	—	—	—
Perjury, . . .	2	—	—	—	—	1	1	—	—	111 19
Tampering with witness, . . .	1	—	—	—	1	—	—	—	—	25 95
Refusing to assist officer,	1	1	—	—	—	—	—	—	—	31 55
Totals, . . .	18	7	—	7	1	1	2	—	—	\$221 70
<i>Against the Public Peace.</i>										
Riot, . . .	2	—	—	—	—	1	1	—	—	\$34 30
<i>Against Chastity, Morality and Decency.</i>										
Adultery, . . .	9	2	—	2	—	1	4	—	—	\$277 01
Common drunkard, .	2	—	1	—	1	—	—	—	—	54 95
Disorderly house, .	1	—	—	—	1	—	—	—	—	38 44
Drunkenness, . .	1	—	—	—	1	—	—	—	—	8 02

TABLE IX.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recogntizance.	Costs.
Polygamy, . . .	1	1	—	—	—	—	—	—	—	\$37 52
Sunday law, . . .	1	—	—	—	—	1	—	—	—	—
Totals, . . .	15	3	1	2	3	2	4	—	—	\$415 94
<i>Against Public Policy.</i>										
Liquor, selling, . . .	245	27	32	17	121	33	4	10	1	\$5,057 71
Liquor, keeping, . . .	1	1	—	—	—	—	—	—	—	11 01
Lottery, . . .	2	—	—	—	1	—	1	—	—	25 45
Totals, . . .	248	28	32	17	122	33	5	10	1	\$5,094 17
<i>Other Offences.</i>										
Nuisance, . . .	18	1	—	3	4	7	3	—	—	\$239 09
Totals for the County,	420	68	37	63	138	66	36	11	1	\$8,564 51

TABLE X. SOUTH-EASTERN DISTRICT—*Continued.*  
COUNTY OF PLYMOUTH.

OFFENCES.	Prosecutions,	Convictions,	Acquittals,	Not Pro'd.	Laid on File,	Still Pending,	No Bill,	Not Arrested,	Defanted on Recog'nizance,	Costs.
<i>Against the Person, feloniously.</i>										
Assault, felonious,	1	—	—	—	—	—	1	—	—	\$23 17
Rape, . . . .	1	—	—	—	—	—	1	—	—	1 33
Robbery on highway, .	2	2	—	—	—	—	—	—	—	139 55
Totals, . . . .	4	2	—	—	—	—	2	—	—	\$164 05
<i>Against the Person, not feloniously.</i>										
Assault, &c., . . . .	36	14	—	8	8	5	1	—	—	\$595 24
<i>Against Property.</i>										
Breaking and entering,	18	10	—	—	2	—	6	—	—	\$442 62
Burning State Alms-house, . . . .	1	1	—	—	—	—	—	—	—	21 52
Larceny, . . . .	15	6	—	3	—	3	3	—	—	354 28
Larceny from person, .	2	—	—	—	—	—	2	—	—	14 53
Larceny of real property, . . . .	1	—	1	—	—	—	—	—	—	53 80
Receiving stolen goods,	1	—	—	—	—	—	1	—	—	12 06
Totals, . . . .	38	17	1	3	2	3	12	—	—	\$898 81
<i>Against the Currency, and Crim. Frauds.</i>										
False pretences, . . . .	1	—	—	1	—	—	—	—	—	\$49 35
<i>Against Public Justice.</i>										
Perjury, . . . .	1	—	—	—	—	1	—	—	—	\$43 59

TABLE X.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Not Prost'd.	Laid on file.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recogizance.	Costs.
<i>Against the Public Peace.</i>										
Riot, . . . .	1	-	-	-	-	-	1	-	-	\$58 49
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
<i>Against Chastity, Morality and Decency.</i>										
Adultery, . . . .	2	-	-	-	-	-	2	-	-	\$57 22
Drunkenness, . . . .	1	1	-	-	-	-	1	-	-	20 58
Polygamy, . . . .	1	1	-	-	-	-	1	-	-	69 53
Totals, . . . .	4	2	-	-	-	-	2	-	-	\$147 33
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
<i>Against Public Policy.</i>										
Gaming, . . . .	1	-	-	-	-	-	1	-	-	\$13 76
Liquor, selling, . . . .	47	7	4	4	25	4	1	2	-	607 65
Peddling without license, . . . .	1	1	-	-	-	-	-	-	-	24 23
Totals, . . . .	49	8	4	4	25	4	2	2	-	\$645 64
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
<i>Other Offences.</i>										
Nuisance, . . . .	12	2	-	5	-	5	-	-	-	\$142 05
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Totals for the County,	146	45	5	21	35	18	20	2	-	\$2,744 55

TABLE XI. SOUTH-EASTERN DISTRICT—*Continued.*

## RECAPITULATION.

*Whole number in the South-Eastern District.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recognition.	Costs.
Against the Person, feloniously, . . .	5	2	—	1	—	—	2	—	—	\$207 05
Against the Person, not feloniously, . . .	76	20	1	26	11	12	6	—	—	1,193 28
Against Property, . . .	109	39	4	16	6	18	25	1	—	2,638 71
Against the Currency, and Crim. Frauds, .	8	1	—	3	1	—	3	—	—	227 72
Against Public Justice,	19	7	—	7	1	2	2	—	—	265 29
Against the Public Peace, . . . .	3	—	—	—	—	1	2	—	—	92 79
Against Chastity, Morality and Decency,	19	5	1	2	3	2	6	—	—	563 27
Against Public Policy,	297	36	36	21	147	37	7	12	1	5,739 81
Other Offences, . . .	30	3	—	8	4	12	3	—	—	381 14
Not Stated, . . . .	—	—	—	—	—	—	—	—	—	—
Totals, . . .	566	113	42	84	173	84	56	13	1	\$11,309 06

## TABLE XII. MIDDLE DISTRICT.

[Worcester County constitutes this District.]

OFFENCES.	Prosecutions.	Convictions.	Aquittals.	Not Prosd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defauited on Recogizance.	Costs.
<i>Against the Person, feloniously.</i>										
Assault, felonious,	1	1	-	-	-	-	-	-	-	\$73 43
Assault with intent,	3	3	-	-	-	-	-	-	-	252 79
Kidnapping,	1	-	-	-	-	-	-	1	-	31 04
Manslaughter,	2	2	-	-	-	-	-	-	-	251 59
Murder,	2	-	-	2	-	-	-	-	-	1 18
Rape,	1	-	-	1	-	-	-	-	-	50 47
Totals,	10	6	-	3	-	-	-	1	-	\$660 50
<i>Against the Person, not feloniously.</i>										
Assault, and Assau't and Battery,	53	20	8	6	19	-	-	-	-	\$976 32
Assault on officer,	11	3	1	1	4	2	-	-	-	387 56
Totals,	64	23	9	7	23	2	-	-	-	\$1,363 88
<i>Against Property.</i>										
Arson,	1	1	-	-	-	-	-	-	-	\$17 17
Attempt to break and enter,	2	1	-	-	1	-	-	-	-	102 91
Breaking and entering,	4	2	-	-	2	-	-	-	-	126 24
Burglary,	3	2	1	-	-	-	-	-	-	93 57
Burning barn,	1	1	-	-	-	-	-	-	-	164 47
Larceny,	59	33	2	3	20	1	-	-	-	1,787 05
Larceny from building,	1	1	-	-	-	-	-	-	-	33 84

TABLE XII.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pro'sd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Debarred on Recogntizance.	Costs.
Malicious mischief, .	6	2	1	2	1	—	1	—	—	241 61
Shop-breaking, .	11	8	—	—	3	—	—	—	—	303 01
Tools, burglars, keeping	2	—	1	1	—	—	—	—	—	35 78
Totals, . .	90	51	5	6	27	1	—	—	—	\$2,905 65
<i>Against the Currency, and Crim. Frauds.</i>										
Counterfeiting, . .	3	3	—	—	—	—	—	—	—	\$102 93
Counterfeit money, having, &c., . .	3	2	—	—	1	—	—	—	—	119 40
False pretences, . .	1	1	—	—	—	—	—	—	—	28 77
Forgery, . . .	3	—	1	—	2	—	—	—	—	114 76
Uncurrent bank bills, uttering, &c., . .	2	1	—	—	1	—	—	—	—	46 34
Totals, . .	12	7	1	—	4	—	—	—	—	\$412 20
<i>Against Public Justice.</i>										
Perjury, . . .	1	—	—	—	1	—	—	—	—	\$132 26
<i>Against the Public Peace.</i>										
Disturbing peace, .	7	1	—	2	4	—	—	—	—	871 28
<i>Against Chastity, Morality and Decency.</i>										
Adultery, . . .	7	4	—	1	2	—	—	—	—	\$178 92
Common drunkard, .	9	—	—	5	4	—	—	—	—	143 37
Disorderly house, .	5	1	—	—	4	—	—	—	—	140 88
Drunkenness, . .	9	4	1	—	4	—	—	—	—	132 34
Fornication, . .	1	—	—	—	1	—	—	—	—	9 38

TABLE XII.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recognizance.	Costs.
House of ill fame, . . .	7	2	—	—	5	—	—	—	—	\$90 02
Lewdness, . . . .	1	1	—	—	—	—	—	—	—	47 17
Polygamy, . . . .	1	—	—	1	—	—	—	—	—	1 10
Sunday law, . . . .	2	—	—	—	2	1	—	—	—	15 10
Totals, . . . .	42	12	1	7	22	—	—	—	—	\$758 28
<i>Against Public Policy.</i>										
Bowling alley, keeping, . . . .	1	—	—	—	1	—	—	—	—	\$12 48
Gaming, . . . .	2	—	1	—	—	1	—	—	—	45 46
Gaming house, . . . .	1	—	—	—	1	—	—	—	—	10 85
Intelligence office, keeping, &c., . . . .	7	1	—	2	4	—	—	—	—	108 72
Liquor, selling, . . . .	165	42	22	18	78	5	—	—	—	2,912 30
Liquor, keeping, . . . .	15	3	3	1	7	1	—	—	—	289 14
Liquor, carrying, . . . .	1	—	—	1	—	—	—	—	—	8 53
Peddling without license, . . . .	2	1	—	—	—	1	—	—	—	121 99
Pawnbroker, carrying on trade of, &c., . . . .	2	1	—	—	1	—	—	—	—	35 90
Totals, . . . .	196	48	26	22	92	8	—	—	—	\$3,545 37
<i>Other Offences.</i>										
Conspiracy, . . . .	2	—	—	—	2	—	—	—	—	\$6 13
Nuisance, . . . .	34	6	3	1	20	4	—	—	—	765 19
Totals, . . . .	36	6	3	1	22	4	—	—	—	\$771 32
Not Stated, . . . .	207	—	—	—	—	122	85	—	—	—
Totals for the County,	665	154	45	48	195	137	85	1	—	\$10,623 74

## TABLE XIII. WESTERN DISTRICT.

[This District comprises the Counties of Hampden and Berkshire.]

## COUNTY OF HAMPPDEN.

OFFENCES,	Prosecutions,	Convictions,	Acquittals,	Nol. Pros'd.	Lat'l on File,	Still Pending,	No Bill,	Not Arr'd to d.	Detained on Recog'nizance,	Costs.
<i>Against the Person, feloniously.</i>										
Assault, felonious,	1	1	-	1	1	1	1	1	1	\$117 64
Manslaughter, . . .	2	2	-	-	1	1	-	1	-	250 18
Murder, . . . .	1	-	-	-	-	1	-	1	1	73 92
Rape, . . . .	1	-	-	-	-	1	-	1	-	11 55
Robbery, . . . .	1	-	-	-	-	1	-	-	-	11 17
Totals, . . .	6	3	-	-	-	3	-	-	-	\$170 46
<i>Against the Person, not feloniously.</i>										
Assault, and Assault and Battery, . . .	17	6	2	2	4	2	1	-	-	\$175 10
Assault on officer, . .	2	1	-	-	-	1	-	-	-	188 78
Assault with dangerous weapon, . . .	2	-	-	-	-	2	-	-	-	112 52
Totals, . . .	21	7	2	2	4	5	1	-	-	\$176 40
<i>Against Property.</i>										
Arson, . . . .	2	-	-	-	-	-	2	-	-	\$17 04
Burglary, . . . .	7	3	-	1	1	-	2	-	-	213 22
Larceny, . . . .	15	9	-	-	2	-	4	-	-	511 22
Larceny in building, .	17	14	-	-	2	-	-	-	1	356 87
Larceny from person, .	1	-	-	-	-	-	-	-	1	21 89
Malicious mischief, .	5	-	-	-	-	1	1	-	3	60 61
Receiving stolen goods,	4	1	-	-	-	-	3	-	-	163 26
Totals, . . . .	51	27	-	1	5	1	12	-	5	\$1,374 11

TABLE XIII.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Detained on Reconizance.	Costs.
<i>Against the Currency, and Crim. Frauds.</i>										
Counterfeiting, . . .	3	2	—	—	—	1	—	—	—	\$165 90
Counterfeit money, uttering, having, &c., .	1	—	—	—	—	—	1	—	—	35 97
Evading fare, . . .	1	1	—	—	—	—	—	—	—	9 48
Totals, . . .	5	3	—	—	—	1	1	—	—	\$211 35
<i>Against Public Justice.</i>										
Contempt, . . . .	2	—	2	—	—	—	—	—	—	\$9 64
Escape, . . . .	1	—	—	—	—	—	1	—	—	56 40
Perjury, inciting to, .	1	—	—	—	—	—	1	—	—	25 39
Totals, . . . .	4	—	2	—	—	—	2	—	—	\$91 43
<i>Against the Public Peace.</i>										
Disturbing peace, . . .	5	—	—	—	1	4	—	—	—	—
<i>Against Chastity, Morality and Decency.</i>										
Abortion, procuring, &c.	3	—	—	—	—	3	—	—	—	\$53 33
Adultery, . . . .	5	—	—	—	—	3	—	—	2	204 61
Common drunkard, .	1	—	—	1	—	—	—	—	—	13 70
Disorderly house, .	4	1	—	—	—	1	2	—	—	101 99
Drunkenness, . . .	7	1	1	—	—	4	—	—	1	53 64
Fornication, . . . .	2	1	—	1	—	—	—	—	—	29 43
Vagabond, . . . .	1	—	—	—	1	—	—	—	—	32 37
House of ill fame, .	3	—	—	—	1	—	2	—	—	183 83
Totals, . . . .	26	3	1	2	2	11	4	—	3	\$672 90

TABLE XIII.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pro's'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Dismissed on Recog'nance.	Costs.
<i>Against Public Policy.</i>										
Gaming house, . . .	1	—	—	—	—	—	1	—	—	\$8 81
Liquor, selling, . . .	90	15	13	—	21	37	1	—	3	2,136 86
Liquor, keeping and carrying, . . .	8	2	—	3	1	2	—	—	—	254 08
Liquor, . . . .	7	—	—	3	—	4	—	—	—	50 94
Unlicensed exhibition,	1	—	—	—	—	—	—	—	1	30 90
Totals, . . .	107	17	13	6	22	43	2	—	4	\$2,481 59
<i>Other Offences.</i>										
Nuisance, . . . .	18	1	—	3	3	11	—	—	—	\$119 40
Totals for the County,	243	61	18	14	37	79	22	—	12	\$5,897 64

TABLE XIV. WESTERN DISTRICT—*Continued.*

## COUNTY OF BERKSHIRE.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not arrested.	Defaulted on Recog'nce.	Costs.
<i>Against the Person, feloniously.</i>										
Assault, felonious,	. . .	3	2	—	—	—	1	—	—	\$119 63
Kidnapping,	. . .	2	—	—	—	—	2	—	—	12 42
Totals,	. . .	5	2	—	—	—	3	—	—	\$212 05
<i>Against the Person, not feloniously.</i>										
Assault,	. . .	29	10	2	4	8	4	—	—	\$868 72
Assault on officer,	. . .	1	1	—	—	—	—	—	—	26 07
Totals,	. . .	30	11	2	4	8	4	—	—	\$894 79
<i>Against Property.</i>										
Attempt to burn,	. . .	1	—	—	—	—	1	—	—	\$13 60
Burglary,	. . .	8	2	—	—	—	6	—	—	181 78
Burning,	. . .	1	—	—	—	1	—	—	—	40 00
Larceny,	. . .	19	7	3	2	4	3	—	—	318 92
Malicious mischief,	. . .	3	1	—	2	—	—	—	—	99 35
Trees, injuring,	. . .	1	—	—	1	—	—	—	—	15 15
Totals,	. . .	33	10	3	5	5	10	—	—	\$668 80
<i>Against the Currency, and Crim. Frauds.</i>										
Counterfeit money, having, &c.,	. . .	1	—	—	—	—	1	—	—	\$69 50
Embezzlement,	. . .	1	—	—	1	—	—	—	—	26 04
Forgery,	. . .	1	—	—	—	—	1	—	—	4 28
Totals,	. . .	3	—	—	1	—	2	—	—	\$99 82

TABLE XIV.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Not Prosd.	Laid on File, still Pending.	No Bill.	Not Arrested.	Defaulted on Rec. cognizance.	Costs.
<i>Against Chastity, Morality and Decency.</i>									
Adultery, . . .	2	—	—	—	2	—	—	—	\$88 36
Common drunkard, .	2	—	—	1	1	—	—	—	24 74
Disorderly house, .	1	1	—	—	—	—	—	—	80 77
Drunkenness, . . .	2	—	1	—	1	—	—	—	37 34
Polygamy, . . .	1	1	—	—	—	—	—	—	53 30
Profanity, . . .	1	1	—	—	—	—	—	—	8 54
Totals, . . .	9	3	1	1	4	—	—	—	\$293 05
<i>Against Public Policy.</i>									
Billiard law, . . .	2	2	—	—	—	—	—	—	\$32 90
Liquor, selling, . .	74	19	7	7	13	22	—	6	1,293 32
Liquor, keeping, .	1	1	—	—	—	—	—	—	17 86
Road-law, violation of,	1	—	—	1	—	—	—	—	22 15
Totals, . . .	78	22	7	8	13	22	—	6	\$1,366 23
<i>Other Offenses.</i>									
Nuisance, . . .	28	1	—	—	4	21	—	2	\$130 98
Not Stated, . . .	21	1	—	—	1	—	13	6	\$370 22
Totals for the County,	207	50	13	19	35	62	13	6	\$4,035 94

TABLE XV. WESTERN DISTRICT—*Continued.*

## RECAPITULATION.

*Whole number in the Western District.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recognition.	Costs.
Against the Person, feloniously, . . .	11	5	—	—	—	6	—	—	—	\$682 51
Against the Person, not feloniously, . . .	51	18	4	6	12	9	1	—	1	1,371 19
Against Property, . . .	84	37	3	6	10	11	12	—	5	2,042 91
Against the Currency, and Crim. Frauds, . .	8	3	—	1	—	3	1	—	—	311 17
Against Public Justice, . . .	4	—	2	—	—	—	2	—	—	91 43
Against the Public Peace, . . . .	5	—	—	—	1	4	—	—	—	—
Against Chastity, Morality and Decency,	35	6	2	3	6	11	4	—	3	965 95
Against Public Policy,	185	39	20	14	35	65	2	—	10	3,847 82
Other Offences, . . .	46	2	—	3	7	32	—	—	2	250 38
Not Stated, . . . .	21	1	—	—	1	—	13	6	—	370 22
Totals, . . . .	450	111	31	33	72	141	35	6	21	\$9,933 58

TABLE XVI. NORTH-WESTERN DISTRICT.

[This District comprises the Counties of Hampshire and Franklin.]

## COUNTY OF HAMPSHIRE

TABLE XVI.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Definitived on Recognizance.	Costs.
Forgery, . . . .	1	-	-	-	-	-	1	-	-	\$12 52
Forged note, uttering,	1	-	-	-	-	-	1	-	-	8 77
Fraud in conveying, .	1	-	-	-	-	1	-	-	-	30 17
Totals, . . . .	12	2	-	-	-	3	6	-	1	\$244 22
<i>Against Public Justice.</i>										
Conspiracy to break jail, . . . .	4	-	-	-	4	-	-	-	-	\$1 05
Perjury, . . . .	1	-	-	-	-	1	-	-	-	438 77
Totals, . . . .	5	-	-	-	4	1	-	-	-	\$439 82
<i>Against the Public Peace.</i>										
Disturbing the peace, .	3	-	-	-	-	1	2	-	-	\$93 64
<i>Against Chastity, Morality and Decency.</i>										
Common Drunkard, .	2	-	-	-	1	1	-	-	-	\$20 43
Cruelty, . . . .	2	-	-	1	-	-	1	-	-	175 16
Drunkenness, . . . .	1	-	-	-	-	1	-	-	-	33 16
House of ill fame, .	1	-	-	1	-	-	-	-	-	281 48
Indecent exposure, .	3	-	-	-	-	-	3	-	-	20 57
Totals, . . . .	9	-	-	2	1	2	4	-	-	\$530 80
<i>Against Public Policy.</i>										
Innholder, presuming to be, &c., . . . .	1	-	-	-	-	-	1	-	-	\$9 18
Liquor, sale of, . . . .	55	5	4	7	13	17	5	-	4	1,665 30
Liquor, keeping, . . . .	10	-	-	8	-	2	-	-	-	107 83
Liquor, unlawfully kept, seized, &c., . . . .	6	1	1	4	-	-	-	-	-	164 49
Totals, . . . .	72	6	5	19	13	19	6	-	4	\$1,946 80

TABLE XVI.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Noi' Pro's'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Re-cognizance.	Costs.
<i>Other Offences.</i>										
Nuisance, . . .	4	—	—	1	—	3	—	—	—	\$305 92
Rescue of cattle, . .	1	—	—	—	—	1	—	—	—	23 65
Totals, . . .	5	—	—	1	—	4	—	—	—	\$329 57
Totals for the County, 167	21	7	32	30	41	29	1	6		\$5,020 65

TABLE XVII. NORTH-WESTERN DISTRICT—*Continued.*  
COUNTY OF FRANKLIN.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defeated on Recognition.	Costs.
<i>Against the Person, feloniously.</i>										
Assault, with intent to kill, . . . .	1	—	—	—	—	—	1	—	—	\$52 67
Rape, . . . .	1	—	—	—	—	1	—	—	—	100 63
Totals, . . . .	2	—	—	—	—	1	1	—	—	\$153 30
<i>Against the Person, not feloniously.</i>										
Assault, and Assault and Battery, . . .	13	3	1	6	—	—	3	—	—	\$334 49
<i>Against Property.</i>										
Breaking and entering,	4	2	—	—	—	1	1	—	—	\$214 46
Burglary, . . . .	1	1	—	—	—	—	—	—	—	65 77
Burning building, .	1	—	—	—	—	1	—	—	—	12 52
Larceny, . . . .	14	6	—	—	—	2	6	—	—	326 90
Malicious mischief, .	2	1	—	1	—	—	—	—	—	43 08
Receiving stolen goods,	4	3	—	—	—	—	1	—	—	348 48
Totals, . . . .	26	13	—	1	—	4	8	—	—	\$1,011 21
<i>Against the Currency, and Crim. Frauds.</i>										
Counterfeit money, having, &c., . . .	3	2	—	—	—	—	1	—	—	\$125 84
False pretences, . . .	2	—	—	—	—	1	1	—	—	72 47
Fraud in conveyance,	2	—	—	1	1	—	—	—	—	63 72
Totals, . . . .	7	2	—	1	1	1	2	—	—	\$262 03

TABLE XVII.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Laid on file.	Still Pending.	No Bld.	Not Arrested.	Defaited on Re- cognizance.	Costs.
<i>Against Public Justice.</i>										
Jail-breach, . . .	7	4	—	—	—	3	—	—	—	\$7 94
Perjury, . . .	1	—	—	—	—	—	1	—	—	62 08
Witness, enticing, . .	1	—	—	—	—	1	—	—	—	63 77
Totals, . . .	9	4	—	—	—	1	1	—	—	\$133 79
<i>Against Chastity, Morality and Decency.</i>										
Adultery, . . .	2	—	1	—	—	—	1	—	—	\$132 10
Drunkenness, . . .	1	—	—	—	1	—	—	—	—	5 89
Sunday Law, . . .	2	—	—	—	—	—	—	—	2	31 02
Polygamy, . . .	1	1	—	—	—	—	—	—	—	113 04
Totals, . . .	6	1	1	—	1	—	1	—	2	\$282 05
<i>Against Public Policy.</i>										
High School, neglect to keep, . . .	1	—	—	—	—	1	—	—	—	\$3 76
Liquor, selling, . . .	39	10	—	15	6	6	2	—	—	1,133 01
Liquor, kept unlawfully, seized, &c., . .	5	4	1	—	—	—	—	—	—	295 32
Totals, . . .	45	14	1	15	6	7	2	—	—	\$1,432 09
<i>Other Offences.</i>										
Conspiracy, . . .	1	—	—	—	—	—	1	—	—	\$15 50
Nuisance, . . .	4	—	—	1	1	2	—	—	—	29 93
Totals, . . .	5	—	—	1	1	2	1	—	—	\$45 43
<i>Not Stated,</i> . . .	1	—	—	—	1	—	—	—	—	—
Totals for the County, 114	37	3	24	10	19	19	—	2	—	\$3,654 39

TABLE XVIII. NORTH-WESTERN DISTRICT.  
RECAPITULATION.

*Whole number in the North-Western District.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pros'd.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recog'nance.	Costs.
Against the Person, feloniously, . . .	6	1	—	—	3	1	1	—	—	\$374 53
Against the Person, not feloniously, . .	24	6	2	9	2	1	4	—	—	603 49
Against Property, . .	72	22	1	8	7	14	18	1	1	1,956 78
Against the Currency, and Crim. Frauds, .	19	4	—	1	1	4	8	—	1	506 25
Against Public Justice, . .	14	4	—	—	4	5	1	—	—	573 61
Against the Public Peace, . . . .	3	—	—	—	—	1	2	—	—	93 64
Against Chastity, Morality and Decency,	15	1	1	2	2	2	5	—	2	812 85
Against Public Policy, . .	117	20	6	34	19	26	8	—	4	3,378 89
Other Offences, . . .	10	—	—	2	1	6	1	—	—	375 00
Not Stated, . . . .	1	—	—	—	1	—	—	—	—	—
Totals, . . . .	281	58	10	56	40	60	58	1	8	\$8,675 04

TABLE XIX.

*Showing the whole amount of Criminal Business in the Commonwealth.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Prost.	Laid on File.	Still Pending.	No Bill.	Not Arrested.	Defaulted on Recogizance.	Costs.
Against the Person, feloniously, . . .	119	60	10	8	6	20	11	3	1	\$5,385 67
Against the Person, not feloniously, . . .	635	241	61	80	79	100	50	4	20	13,046 14
Against Property, . . .	1191	579	81	79	141	140	125	17	26	28,631 45
Against the Currency, and Crim. Frauds, . . .	206	61	15	21	39	32	31	4	3	5,467 17
Against Public Justice, . . .	77	20	7	8	7	15	16	4	-	2,111 46
Against the Public Peace, . . .	38	2	1	6	6	11	7	1	4	614 02
Against the Public Health, . . .	1	-	-	-	-	-	1	-	-	25 26
Against Chastity, Morality and Decency, . . .	556	212	38	58	108	71	50	7	12	10,583 72
Against Public Policy, . . .	1732	383	174	176	437	325	150	48	39	36,288 53
Other Offences, . . .	164	14	5	17	40	73	8	5	2	2,332 18
Not Stated, . . .	363	1	-	-	2	122	232	6	-	2,087 10
Totals, . . .	5082	1573	395	453	865	909	681	99	107	\$106,572 70

TABLE XX.

*Showing the whole amount of Criminal Business in the Commonwealth, by Counties.*

COUNTIES.	Prosecutions,	Convictions,	Acquittals,	No. Pros'd.	Laid on File,	Still Pending,	No Bill.	Not Arrested.	Defaulted on Recognition,	Costs.
BARNSTABLE, . . .	50	14	7	6	9	2	12	—	—	\$1,337 67
BERKSHIRE, . . .	207	50	13	19	35	62	13	6	9	4,035 94
BRISTOL, . . .	381	138	48	26	45	33	82	3	6	9,501 97
DUKES, . . .	1	1	—	—	—	—	—	—	—	35 36
ESSEX, . . .	570	190	13	30	—205	81	35	16	12,316 29	
FRANKLIN, . . .	114	37	3	24	10	19	19	—	2	3,654 39
HAMPDEN, . . .	243	61	18	14	37	79	22	—	12	5,897 64
HAMPSHIRE, . . .	167	21	7	32	30	41	29	1	6	5,020 65
MIDDLESEX, . . .	653	169	62	65	88	155	81	7	26	14,781 74
NANTUCKET, . . .	7	3	—	1	—	—	3	—	—	129 54
NORFOLK, . . .	420	68	37	63	138	66	36	11	1	8,564 51
PLYMOUTH, . . .	146	45	5	21	35	18	20	2	—	2,744 55
SUFFOLK, . . .	1458	622	137	104	243	92	198	33	29	27,928 71
WORCESTER, . . .	665	154	45	48	195	137	85	1	—	10,623 74
Totals, . . .	5082	1573	395	453	865	909	681	99	107	\$106,572 70

TABLE XXI.

*Showing the number of Sentences to Fine or Imprisonment, by Counties.*

COUNTIES.	Sentences.	State Prison.	House of Correction or Jail.	Imprisonment and Fine.	Fine.	Costs paid by Defendants.
BARNSTABLE, . . .	14	2	6	5	1	-
BERKSHIRE, . . .	49	2	16	23	8	\$814 24
BRISTOL, . . .	137	31	59	35	12	338 43
DUKES, . . .	1	-	-	-	1	-
ESSEX, . . .	130	27	62	37	4	*1,687 21
FRANKLIN, . . .	27	4	13	4	6	788 11
HAMPDEN, . . .	50	8	26	12	4	232 20
HAMPSHIRE, . . .	18	3	10	3	2	512 58
MIDDLESEX, . . .	165	55	57	23	30	958 30
NANTUCKET, . . .	2	-	1	-	1	12 31
NORFOLK, . . .	61	7	20	25	9	*2,859 79
PLYMOUTH, . . .	42	13	11	13	5	718 57
SUFFOLK, . . .	549	61	263	-	225	983 75
WORCESTER, . . .	132	18	48	42	24	895 32
Totals, . . .	1,377	231	592	222	332	\$10,800 81

\* Including the costs of former years paid within the year.











